

**IN THE
SUPREME COURT OF INDIANA**

CASE NUMBER:

ORDER AMENDING INDIANA JURY RULES

Under the authority vested in this court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Rules 1, 7, 8, 9, 25 and 26 of the Indiana Jury Rules are amended to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

INDIANA JURY RULES

RULE 1 SCOPE

These rules shall govern petit jury assembly, selection, and management in all courts of the State of Indiana. Rules 2 through 10 shall govern grand jury assembly and selection.

...

RULE 7 DEFERRAL

The judge or judge's designee may ~~approve~~ authorize a deferral of jury service for up to one (1) year upon a showing of undue hardship, extreme inconvenience, or public necessity.

...

RULE 8 DOCUMENTATION

The facts supporting juror disqualifications, exemptions, and deferrals shall be recorded under oath or affirmation. No disqualification, exemption, or deferral shall be ~~granted~~ authorized unless the facts support it. These records shall be kept for a minimum of two (2) years.

...

RULE 9 TERM OF JURY SERVICE

(a) A person who appears for service as a petit juror serves until the conclusion of the first trial in which the juror is sworn, regardless of the length of the trial or the manner in which the trial is disposed. A person who appears for service but is not selected and sworn as a juror completes the person's service when jury selection is completed-; provided, however, jurors who are called for jury service are eligible to serve in any court in that county on the day summoned.

(b) A person who:

- (1) serves as a juror; or
- (2) serves until jury selection is completed, but is not chosen to serve as a juror;

may not be selected for another jury panel until all nonexempt persons in the jury pool for that year have been called for jury duty.

...

RULE 25 JURY VIEW

When the court determines it is proper, the court may order the jury to view:

- (a) the real or personal property which is the subject of the case; or
- (b) the place in which a material fact occurred.

The place shall be shown to the jury by a person appointed by the court for that purpose. While the jury is absent for the view, no person, other than the person appointed to show the place to the jury, shall speak to the jury on any subject connected with the trial. Counsel for the parties shall have the right to accompany the jury but shall not speak to the jury.

...

RULE 26 FINAL INSTRUCTIONS

The court shall read appropriate final instructions, providing each juror with written instructions before the court reads them. Jurors shall retain the written instructions during deliberations. The court may, in its discretion, give some or all final instructions before final arguments, and some or all final instructions after final arguments.

...

RULE 30 JUDGE TO READ THE VERDICT

When the jury has agreed upon its verdict, the ~~foreman~~ foreperson shall sign the appropriate verdict form. When returned into court, the judge shall read the verdict. The court

or either party may poll the jury. If a juror dissents from the verdict, the jury shall again be sent out to deliberate.

These amendments shall take effect August 1, 2003.

The Clerk of this Court is directed to forward a copy of this order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, Indiana, this _____ day of July, 2003.

Acting Chief Justice of Indiana

All Justices concur.